

## CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 21, 2004

  
Beverly Fletcher

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Inventor(s): **Brian Barnes, et al.** Atty. Docket No.: **60655.6200**  
Serial No.: **10/708,597** Confirmation No.: **2596** Group Art Unit: **2632**  
Filing Date: **March 12, 2004** Examiner: **TBA**  
Title: **METHOD AND SYSTEM FOR TRACKING USER PERFORMANCE**

### PETITION FOR EXTENSION OF TIME TO FILE RESPONSE and RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### FILING DATE GRANTED

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

The Applicants respectfully submit this Petition for Extension of Time and Response to the Notice to File Missing Parts in the above-identified application.

10/28/2004 RMEBRAHT 00000049 192814 10708597

02 FC:1253 980.00 DA

**PETITION FOR EXTENSION OF TIME TO FILE RESPONSE**

This Response is responsive to your Notice to File Missing Parts mailed May 21, 2004. A Response to the aforementioned Notice was due two months from the date of the Notice (*e.g.*, due July 21, 2004). Thus, the Applicants petition for a three (3) month extension of time until October 21, 2004 to submit this Response. In accordance with 37 C.F.R. 1.17(a), a fee of \$950.00 is due. In the event the Examiner determines that a more appropriate time period for extension or fee is warranted, this petition also serves as a petition for the time period and fee as determined by the Examiner. **The Examiner is authorized to charge Deposit Account No. 19-2814 the amount correlative to time period as determined by the Examiner.** A duplicate of this Petition is enclosed for your use.

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

This response to the Notice to File Missing Parts of Nonprovisional Application - Filing  
Date Granted mailed on May 21, 2004.

Enclosed herewith for filing are the following:

A copy of the Notice to File Missing Parts of Nonprovisional Application - Filing  
Date Granted. **(REQUIRED)**;

Declarations

- 1) Signed by inventor Brian Barnes;
- 2) Signed by inventor David S. Bonalle; and
- 3) Signed by inventor Peter D. Saunders.

Surcharge for late filed Declaration	\$ 130.00
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Three-month extension fee	<u>950.00</u>
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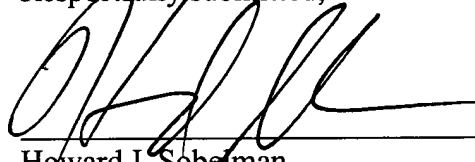
Total completion of application fees	\$1,080.00
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<b>Total fees due</b>	<b><u>\$1,080.00</u></b>
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The fee of \$1,080.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**.  
**A duplicate copy of this sheet is enclosed.**
- ☒ If an extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-2814**.  
**A duplicate copy of this sheet is enclosed.**

Respectfully submitted,



Howard I. Sobelman  
Reg. No. 39,038

Dated: October 21, 2004

**SNELL & WILMER L.L.P.**

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